

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of ZACHARY MICHAEL LANG
and SEBASTIAN LEE LANG, Minors.

DEPARTMENT OF HUMAN SERVICES, f/k/a
FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

TERRY SZPYTEK,

Respondent-Appellant,

and

MICHELLE LEE LANG and MARK SHARM,

Respondents.

In the Matter of TYLER JAMES LANG,
BRIANNA NICOLE LANG, ZACHARY
MICHAEL LANG, SEBASTIAN LEE LANG,
and JOSHUA MARTIN LANG, Minors.

DEPARTMENT OF HUMAN SERVICES, f/k/a
FAMILY INDEPENDENCE AGENCY,

Petitioner-Appellee,

v

MICHELLE LEE LANG,

Respondent-Appellant,

and

UNPUBLISHED
April 6, 2006

No. 265227
Wayne Circuit Court
Family Division
LC No. 04-427076-NA

No. 265228
Wayne Circuit Court
Family Division
LC No. 04-427076-NA

TERRY SZPYTEK and MARK SHARM,

Respondents.

Before: Smolenski, P.J., and Owens and Donofrio, JJ.

PER CURIAM.

In these consolidated appeals, respondents Terry Szpytek and Michelle Lang appeal as of right from the trial court order terminating their parental rights to the minor children under MCL 712A.19b(3)(c)(i), (g), and (j). We affirm.

The trial court did not clearly err in finding that the statutory grounds for termination of respondent's parental rights were established by clear and convincing evidence. MCR 3.977(J); *In re Miller*, 433 Mich 331, 337; 445 NW2d 161 (1989). Respondents were addicted to substances, engaged in domestic violence, and failed to provide proper care and custody of the children. Respondents' substance abuse and environmental neglect of the children were the conditions leading to adjudication. Eighteen months elapsed between the initial disposition and the termination hearing. Respondents complied with the mechanics of several aspects of their treatment plans but did not rectify their addictions, which was a primary factor contributing to the children's neglect. Respondents also did not demonstrate significant progress in counseling designed to address their personal issues and make them better able to responsibly parent the minor children. Respondents requested additional time to rehabilitate, but given the minimal progress made in 18 months, there was no reasonable expectation that respondents would become able to permanently overcome their addictions and provide proper care or custody for the children within a reasonable time. Returning the children to respondents would very likely again result in the children's neglect.

Further, the evidence did not show that termination of respondent's parental rights was clearly contrary to the children's best interests. MCL 712A.19b(5); *In re Trejo*, 462 Mich 341, 356-357; 612 NW2d 407 (2000). The children were old enough to be bonded to respondents and enjoyed visits with them, but their needs were being met in their placements. The statutory grounds for termination were established, and at the time of termination it was apparent that the children could not safely return to respondents' care. It was not in the children's best interests to allow respondents additional time to rehabilitate, particularly given the lengthy amount of time in which respondents had failed to achieve sobriety, and no evidence was presented showing special or long-term detriment to the children if parental rights were terminated.

Affirmed.

/s/ Michael R. Smolenski
/s/ Donald S. Owens
/s/ Pat M. Donofrio